

**CITY OF SHOREVIEW  
MINUTES  
REGULAR CITY COUNCIL MEETING  
April 6, 2009**

**CALL TO ORDER**

Pursuant to due call and notice thereof, a regular meeting of the Shoreview City Council was called to order by Mayor Martin on April 6, 2009, at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

The meeting opened with the Pledge of Allegiance to the flag.

**ROLL CALL**

The following members were present: Mayor Martin; Councilmembers Huffman, Quigley Wickstrom and Withhart.

**APPROVAL OF AGENDA**

MOTION: by Councilmember Wickstrom, seconded by Councilmember Huffman to approve the April 6, 2009 agenda as submitted.

ROLL CALL: Ayes - 5 Nays - 0

**PROCLAMATIONS AND RECOGNITIONS**

Mayor Martin read and presented the following proclamation to Jacob Twaddle who has achieved Eagle Scout in the Boy Scouts of America:

WHEREAS, Jacob Twaddle, a student at Mounds View High School, son of Ronda and Jason Twaddle and member of Troop 609, has earned the rank of Eagle Scout, the highest of ranks in the Boy Scouts of America; and

WHEREAS, to attain the rank of Eagle Scout, Jacob had to complete a special Eagle Scout Service Project; and

WHEREAS, Jacob completed his Eagle Scout project by constructing an osprey nesting platform at Roseville's Ladyslipper Park on Lake Owasso. This project was completed for the Raptor Resource Project which has been working to bring osprey back to the Twin Cities area; and

WHEREAS, Jacob is the Vice-Chair of the Youth Leader College, has held the position of Troop Guide, Instructor, Assistant Senior Patrol Leader, and Senior Patrol Leader of the

National Youth Leadership Training Program, is a member of the Order of the Arrow Brotherhood, and an officer for the Order of the Arrow Lodge; and

WHEREAS, Jacob is also involved in the Mounds View Rugby team, Irondale Marching Band, School District 621 Supermileage team and the Mounds View High School Band.

NOW, THEREFORE, BE IT RESOLVED that I, Sandra C. Martin, Mayor of Shoreview, on behalf of the Shoreview City Council, do hereby congratulate Jacob Twaddle for his many accomplishments and his achievement of the rank of Eagle Scout.

Jacob stated that for his project he developed and constructed an osprey nesting tripod. It is one of the first in the State of Minnesota. The traditional nest is on a platform on a pole approximately 20 feet high. He modified a hunting tripod with a platform that is 16 feet high with a protection guard to make it easier to band birds every year when they are newly hatched. Most of the materials were donated by local businesses and family friends donated \$200.

### **CITIZEN COMMENTS**

**Mrs. Linda Sharkey**, 4965 Hanson Road, registered her complaint regarding Kathleen Nordine and that when she came to City Hall with Mr. Louis Lang and her son, Todd Sharkey to meet with Mayor Martin on March 24, they were not able to do so.

### **COUNCIL COMMENTS**

#### **Mayor Martin:**

Announced that the Historical Society has chosen the Kurkowski family as the 2009 Heritage Family of the Year. They will be recognized during the *Slice of Shoreview* and at a special reception on April 19, 2009, at 2:00 p.m. at City Hall. The public is invited.

May 2<sup>nd</sup> is Cleanup Day. This is an opportunity to dispose of unwanted items at the Community Center and Maintenance Garage. A flyer will be coming out soon.

The Northern Lights Variety Band Spring Concert will be April 18<sup>th</sup> at Bethel Great Hall at Bethel University. Tickets can be purchased at City Hall or online.

#### **Councilmember Quigley:**

Received an advance copy of the summer *ShoreViews* with its new design and new appearance. There is a lot of information and he urged residents to watch for it. It will be mailed this week.

#### **Councilmember Wickstrom:**

The rain barrel building workshop that will be held April 8 is full. The number is limited because of the nature of the session.

Tickets for the Spring Concert can also be purchased at the door at Bethel.

Cleanup Day is a good time to get rid of old electronics, such as TVs and computers to make sure they do not end up in landfills.

### **CONSENT AGENDA**

Item No. 2 was considered separately. The Public Safety meeting minutes under item No. 3 were pulled for separate discussion.

Item No.12 was moved to item 12A to be considered directly after the Consent Agenda.

Referring to the Public Safety Committee minutes, Councilmember Wickstrom asked for clarification of the problems occurring with the public dispatch system. Mr. Schwerm responded that there are issues from time to time, which are being addressed as they arise. A study was just completed on staffing and service levels and modifications are being made to improve service.

**MOTION:** by Councilmember Wickstrom, seconded by Councilmember Quigley to adopt the consent agenda of April 6, 2009 approving the necessary motions and resolutions with the exception of Nos. 2 and 12:

1. March 9, 2009 City Council Workshop Meeting Minutes
3. Receipt of Committee/Commission Minutes:
  - Economic Development Commission - February 9, 2009
  - Economic Development Commission - February 17, 2009
  - Snail Lake Improvement District Board - February 18, 2009
  - Planning Commission - February 24, 2009
  - Human Rights Commission - February 25, 2009
  - Economic Development Commission - March 10, 2009
  - Public Safety Committee - March 19, 2009
  - Environmental Quality Committee - March 23, 2009
4. Verified Claims in the Amount of \$812,780.82
5. Purchases
6. License Applications
7. Authorize Purchase of 2009 Street Maintenance Materials
8. Authorize Purchase of Replacement Vehicles
9. Approval of Change Order #1 - Indoor Playground
10. Supplemental Water Patrol Contract with Ramsey County Sheriff, Summer 2009
11. Approved Final 2008 Inter-Fund Transfers and Loans

**ROLL CALL:** Ayes - 5 Nays - 0

**MOTION:** by Councilmember Wickstrom, seconded by Councilmember Quigley to approve Item No. 2, March 16, 2009 City Council Meeting Minutes as submitted.

ROLL CALL:           Ayes - 4                      Nays - 0                      Abstain - 1 (Martin)

Mayor Martin abstained as she was not present at the March 16, 2009 City Council meeting.

## **PUBLIC HEARINGS**

There were none.

## **GENERAL BUSINESS**

### **12.A. APPROVE PLANS AND SPECIFICATIONS AND ORDER TAKING OF BIDS – SITZER PARK**

Councilmember Wickstrom noted that the parking lot at Sitzer Park would be the perfect place to use porous concrete. She suggested that an alternate bid be included in the bid request for pervious pavement.

Mayor Martin asked if runoff would be facilitated with pervious pavement. Mr. Maloney stated that the parking lot area drains to the storm sewer system on Snail Lake Road, which flows west to Snail Lake. The pervious pavement would not impact storm water drainage because infrastructure is already in place and designed to handle it.

Councilmember Wickstrom stated that the water is still going directly into Snail Lake. With the pervious pavement, the water filtered into the ground would be cleaner when it flows into Snail Lake. Mr. Maloney stated that the soil is conducive for infiltration and this may be an opportunity to use the pervious surface method, but there is not a need in terms of storm water deficiency.

Mayor Martin asked how this change would impact bids. Mr. Schwerm stated that an alternate bid could be added to the bid process. The biggest potential drawback would be changing the plans and specifications, which may set back the bid date. However, the project would likely not be delayed, as it is not scheduled to begin until August.

Councilmember Withhart noted that Sitzer Park has a Master Plan in which the neighborhood has been very involved. The purchase of the second house in the park and tearing it down is the first step of implementing that plan. Sitzer is one of the smallest parks in the City.

Mayor Martin noted that the homeowners of both houses were very supportive and cooperative in selling to the City when they were ready.

Councilmember Huffman noted that the bid is higher than the reserves planned by \$100,000. He asked the ramifications for future budgeting. Mr. Schwerm stated that the City's CIP in 2010 includes \$100,000 allowance for park improvements that are unspecified. That money would be used a year early for this project and delay other park improvements a year. This enables the City to improve Sitzer Park in a more comprehensive manner.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Withhart to adopt Resolution 09-25 approving the Plans and Specifications and Authorizing the Taking of Bids for the Sitzer Park project with the inclusion of an alternate bid for pervious pavement in the parking lot area.

ROLL CALL: Ayes: Huffman, Quigley, Wickstrom, Withhart, Martin  
Nays: None

**APPROVE PLANS AND SPECIFICATIONS AND ORDER TAKING OF BIDS -  
WOODBIDGE STREET NEIGHBORHOOD ROAD RECONSTRUCTION PROJECT,  
CP 09-01**

**Presentation by Public Works Director Mark Maloney**

The City Council received the feasibility study for this project at its March 2<sup>nd</sup> meeting and held a public hearing on March 16<sup>th</sup>. Final plans are based on recommendations from the Feasibility Report and consideration of public input. Staff was able to include surmountable curbs without compromising any measurable outcomes of the project. Staff also investigated burying the power lines, which is complicated because Xcel has agreements with other providers, such as Qwest and Comcast. The estimate to bury power lines is approximately an additional \$5,000 per lot in the project in addition to the proposed street assessments. The City does not have a policy to pay for this work. It would be the responsibility of homeowners.

Mayor Martin asked if that \$5,000 amount would be added to the other assessments, or would Xcel bill homeowners separately? Mr. Maloney stated that this work was not in the feasibility study so the City would not be in a position to add on to the assessment, unless the feasibility study was amended. He further noted that Xcel would make no commitment to a schedule for the work if it were ordered.

Noting that a number of concerns about using pervious surface were raised by residents after seeing the pervious surface use on the Dale Street alley, Mr. Maloney stated that the “lessons learned” from that project, there are some significant differences in how pervious surface will be applied in this project. He does not believe the surface of the pervious pavement will be very different for biking and walking. The aggregate size used in seal coating on a bituminous road compared to the size of the concrete is not very different. Mr. Maloney clarified that staff’s recommendations are based on the best research of technical and practical information available. If there is additional information that people have, he would welcome it.

Councilmember Huffman asked for a summary of the process that was used to arrive at staff’s recommendations for this project. Mr. Maloney explained that prior to the feasibility report, it was staff’s thinking that the street would be a typical blacktop street. However, realizing that there would be an opportunity to eliminate the direct discharge into Lake Owasso and that the soils are very favorable for infiltrating water, it became clear that a pervious surface should be considered. There is no available land in the area to easily address storm water with construction of a pond or pump system. The detailed information described in the feasibility study made it clear that a porous pavement would be the right infrastructure solution for this neighborhood.

Councilmember Wickstrom asked Mr. Maloney to repeat the differences that will be applied to this project compared to the Dale Street alley. Mr. Maloney stated that the soil consistency at the Dale Street alley made it a less than perfect place to put in porous pavement for the first time, which is one of the “lessons learned” from that project. The soil in the Woodbridge neighborhood will work well for infiltration. On the Dale Street alley, cross joints were put in but not longitudinal joints with the result of cracking. The joint pattern and spacing will be very different in the Woodbridge project, which will include edge support from concrete curb and gutter and a different pattern and spacing of joints.

Mayor Martin stated that residents have been waiting a long time for this project and have raised many concerns. She asked what would happen in the worst case scenario if this proved to not be the correct method. Mr. Maloney responded that there is risk in any road that is built. There have been streets in the City that failed from freezing and thawing that were never anticipated for replacement, but when they failed, the City replaced them. As for the assessment costs, when residents pay one time for storm water drainage, they are never assessed again. He believes the industry claim that the product will last at least 25 years. The only way damage can occur from freezing and thawing is if water is stuck under the pavement. With the porous surface and proper maintenance, the water will drain.

Councilmember Withhart noted the concern raised by residents about a public utility on private land. Mr. Maloney stated that there is a lift station on private property at the end of Woodbridge. Councilmember Withhart stated that although the City does not normally rehab private driveways, he urged staff to consider some responsibility in this case where the City uses the private drive to maintain a public utility.

Mr. Maloney showed photographs of a number of other locations in Minnesota where pervious pavement is being used. While this is new technology, there are many communities throughout the state using it.

Mayor Martin opened the meeting to public comment.

**Mr. David Lutz**, 3137 Woodbridge Street, thanked the Council for another opportunity to speak. After looking at the Dale Street alley, he learned that the porous surface cannot be used for rollerblading or skate boarding. Small dogs get their nails caught in it. In thinking about “lessons learned,” he does not want his neighborhood to be one where lessons are learned for yet the next project.

**Mr. Paul Tragiai**, 206 East Owasso Lane, expressed his concerns as a contractor. Most of the failure with this product is when it is filled with liquid and there is the freeze/thaw expansion/contraction. There are a number of different ways this product can be clogged and ongoing maintenance is needed. Will maintenance increase in the fall when there are so many leaves? Debris flies into the road just from mowing lawns. Patching a paved road is easier and less expensive than repairs to porous concrete. Research done in 2008 in Denver shows that after 40 freeze/thaw cycles, this product failed. He showed a bag of loose material he collected from the Dale Street alley after only two years. He believes this is the first suburban residential

neighborhood to use this product. He would suggest an underground drain system to drain and store water. Although there is only one assessment, if the road has to be replaced, taxpayers pay for it.

**Mr. Scott Halstead**, 3271 Woodbridge Street, stated that porous concrete is not comparable to a paved road for walking or biking. The feasibility study shows a \$100,000 higher cost for the porous concrete roadway. He asked if there would be road restrictions on this road. The photos showing other porous concrete projects were of parking lots, ramps, cul-de-sacs but not road projects. If the road fails, it will be a huge cost.

**Mr. Andrew Bergen**, 196 East Owasso Lane, expressed concern about the proposed road width. He used to live on Horseshoe Drive and appreciated the narrower road. The proposed road is 24 feet wide. A wider road is more like a parking lot. He would prefer a narrower road that is often used more like a sidewalk and builds community in the neighborhood.

Mr. Maloney responded to the comments stating that the \$100,000 cost comparison is not a fair comparison because the bituminous roadway does not achieve eliminating the direct discharge to Lake Owasso. The less cost for the road is a trade off for water quality. This is a 7-ton roadway which is the same load limit as a traditionally built roadway. He agreed that the road would fail if the City is not committed to regular maintenance. This has been anticipated and the City has scheduled purchase of the needed regenerative air sweeper in the CIP.

Mr. Schwerm asked about the results of the Denver study. Mr. Maloney stated that properly maintained, the road could go through many cycles of freeze/thaw and would stand up. This product is used in many other northern states. It is not a matter of cold, but how often freeze/thaw occurs. As long as the pavement is free draining and being maintained correctly, there will always be a space underneath of 1.5 to 3 feet for the water to drain.

Councilmember Huffman asked if there is another method that could be used to eliminate the discharge to the lake. Mr. Maloney answered that a pond would have to be built that is big enough to handle the runoff. That requires a lot of open space that is not available in this neighborhood. Purchasing private property for a pond would be difficult. Elimination of discharge is a high priority as a result of documented concerns by Grass Lake Water Management Organization (GLWMO) and by residents about water quality in Lake Owasso.

Mayor Martin asked how snow plowing would be handled. Mr. Maloney stated that the neighborhood would continue to be plowed with a 1-ton pickup. That is the least aggressive style of equipment that can be used for plowing. Maintenance will include reduction of salt use. He does not anticipate road damage. There is more aggregate loss in seal coated areas.

Councilmember Wickstrom asked when the regenerative air sweeper will be purchased; the maintenance schedule; where the bag of loose material brought by Mr. Tragiai came from on the Dale Street alley; and the industry recommendation for placement of joints. Mr. Maloney responded that purchase of the regenerative air sweeper is scheduled for 2011 or 2012. Until then, the City has made arrangements to use one from another city. Monthly maintenance is scheduled. The loose material from the Dale Street alley is most likely a result of the cracking

that has occurred. A strategy has been developed for joint placement. One joint will be placed down the middle of the road and then joints every 20 feet transversely to line up with the joints in the curb and gutter. It has not yet been decided whether to use 3 8-foot panels or 2 12-foot panels for the road, but error will be made on the side of more joints.

Councilmember Wickstrom noted the failure of bituminous on County Road I. Bituminous is not necessarily perfect. Concrete lasts longer and she anticipates that over time it will look better than bituminous that will have to be patched.

Councilmember Withhart stated that the neighborhood is not being used as an experiment. The product has been researched carefully and he supports staff's recommendations. The neighborhood meetings, public hearing and testimony at this meeting has given residents every opportunity to understand the project.

Councilmember Huffman stated that he has great confidence with the expert resources staff is using and the staff recommendations. His only concern is the road appearance, but if a bituminous road is built, a pond would have to be built.

Mayor Martin stated that the appearance will be more attractive with curb and gutter. In Owasso Heights also there was not space for a pond. A holding tank of 80,000 gallons was put in under Owasso Heights Road for the water to be pumped. Staff has used bold innovative approaches. This is a bold environmental initiative to address the request by the community to eliminate direct discharges to lakes.

MOTION: by Councilmember Quigley, seconded by Councilmember Wickstrom to adopt Resolution No. 09-21 approving plans and specifications for the Woodbridge Street Neighborhood Road Reconstruction, City Project 09-01; and ordering the taking of bids on Tuesday, May 12, 2009 at 10:00 a.m., at the Shoreview City Hall.

ROLL CALL: Ayes: Quigley, Wickstrom, Withhart, Huffman, Martin  
Nays: None

**ESTABLISH PARKING RESTRICTIONS - EMMERT STREET NEIGHBORHOOD  
AND ARBOGAST STREET ROAD RECONSTRUCTION PROJECT - CP 08-01 A & B**

**Presentation by Public Works Director Mark Maloney**

With a 24-foot substandard right-of-way width on Arbogast and Timber Lane, parking restrictions are required by state statute and the Fire Code. This was discussed with the neighborhood with the road project plans. Staff's recommendation is to post No Parking on the north side of Timber Lane and Arbogast Streets and the south side of each within 30 feet of intersections for driver visibility. The locations of mailboxes, driveways and neighborhood circulation are the factors considered in deciding which side to post No Parking.



MOTION: by Councilmember Withhart, seconded by Councilmember Wickstrom to adopt Resolution No. 09-22 prohibiting parking on the north side of Timber Lane and Arbogast Street and on both sides within 30 feet of road intersections.

ROLL CALL: Ayes: Wickstrom, Withhart, Huffman, Quigley, Martin  
Nays: None

**ACCEPT BIDS AND AWARD CONTRACT - 2009 SEWER LINING PROJECT, CP 09-05**

**Presentation by Public Works Director Mark Maloney**

Three bids were received for the City's 2009 sanitary sewer lining project. The bid documents included a base bid for Owasso Heights, Emmert/Arbogast; Alternate 1 for the Woodbridge Neighborhood; and Alternate 2 for Rice Street between County Road F and St. Marie Street. Lametti & Sons, Inc. was the low bidder for both the base bid and inclusion of the alternates. All of this work was scheduled in the CIP. The CIP planned \$150,000 for the Woodbridge portion of sewer work. It is anticipated that \$26,000 will be used for sewer work in the Woodbridge street project, which leaves \$124,000 for sewer relining. The low bid plus the alternates plus 10% for engineering and administrative services totals \$596,818.64. The CIP budgeted \$604,000.00. Staff is recommending acceptance of the base bid with both alternates as submitted by Lametti & Sons.

Councilmember Wickstrom asked if this work will apply to the I & I work required by the Metropolitan Council. Mr. Maloney answered that this work will result in a direct rebate from the surcharge imposed by the Metropolitan Council.

MOTION: by Councilmember Huffman, seconded by Councilmember Withhart to adopt Resolution No. 09-23, which accepts the Base Bid, Alternate #1 and Alternate #2 from Lametti & Sons, Inc., for the 2009 Sanitary Sewer Lining Project, City Project 09-05, and authorizes the Mayor and City Manager to execute a construction contract in the amount of \$542,562.40.

ROLL CALL: Ayes: Withhart, Huffman, Quigley, Wickstrom, Martin  
Nays: None

**APPOINTMENTS TO VARIOUS COMMITTEES/COMMISSIONS**

City Manager Schwerm reported that the applications were referred to respective committees/commissions with vacancies: Economic Development Commission (EDC), Human Rights Commission, Park and Recreation Commission, and the Public Safety Committee. The EDC has requested that the second appointment be delayed because the Commission would like to recruit someone from the local business community. The Public Safety Committee had two excellent applications but made no recommendation. Justine Green attended the last meeting, and members thought she would be an excellent fit for the Committee.

The Council briefly discussed the fact that the recommendation from the EDC is for an applicant who will not be a resident until April 15, 2009, when a second qualified resident, who has served well previously and has been in the City a long time, also applied. It was the consensus of the Council to delay the EDC appointment until the Council could further discuss the matter with the EDC at the next Council workshop.

MOTION: by Councilmember Withhart, seconded by Councilmember Quigley to appoint Angela Heiderscheid to the Human Rights Commission for a term ending January 31, 2011; to appoint Ryan Hanson to the Park and Recreation Commission for a term ending January 31, 2010; and to appoint Justine Green to the Public Safety Committee for a term ending January 31, 2012.

ROLL CALL: Ayes: Huffman, Quigley, Wickstrom, Withhart, Martin  
Nays: None

### **ADJOURNMENT**

MOTION: by Councilmember Withhart, seconded by Councilmember Quigley to adjourn the meeting at 9:07 p.m.

ROLL CALL: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 20<sup>th</sup> DAY OF APRIL 2009.

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Terry C. Schwerm  
City Manager